

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

VINCENT URAIN SOLOMON,

Plaintiff,

v.

ATCHLEY, et al.,

Defendants.

Case No. 11-cv-02827-JST (PR)

**AMENDED ORDER DISMISSING  
ACTION WITH PREJUDICE<sup>1</sup>**

Plaintiff, a California prisoner proceeding pro se and currently incarcerated at California State Prison – Corcoran ("CSP–Corcoran"), filed the instant civil rights action pursuant to 42 U.S.C. § 1983 alleging violations of his constitutional rights when he was incarcerated at Salinas Valley State Prison ("SVSP"). On January 27, 2014, the Court issued an order granting in part and denying in part defendants' motion for summary judgment and referring the matter for settlement proceedings before Magistrate Judge Nandor Vadas. On May 7, 2014, Judge Vadas entered an order notifying the Court that the matter had "settled in principle" and that a further telephonic status conference would be held.

On May 22, 2014, the Court received a copy of a "Stipulation for Voluntary Dismissal with Prejudice" pursuant to Fed. R. Civ. P. 41(a)(1) signed by both parties as well as a proposed order for the dismissal of this action. The signed stipulation states:

Plaintiff Vincente U. Solomon and Defendants G. Lewis, et al. have resolved this case in its entirety. Therefore, the parties stipulate to a dismissal of this action with prejudice under Federal Rule of Civil

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<sup>1</sup> The Court previously issued an order dismissing this action with prejudice in light of the parties' settlement. By oversight, however, the Court neglected to retain jurisdiction to enforce the parties' settlement. This Amended Order cures that oversight.

Procedure 41(a)(1)(A)(ii).

Each party shall bear its own litigation costs and attorney's fees.  
(Dkt. No. 129.)

Accordingly, having been notified of the settlement,

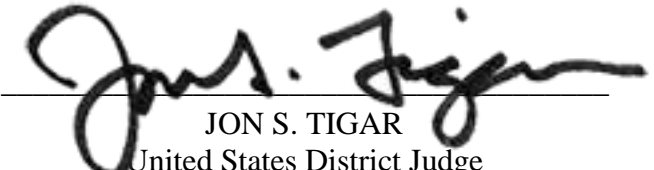
IT IS HEREBY ORDERED THAT this action and all claims asserted herein against defendants are DISMISSED WITH PREJUDICE. The Court will retain jurisdiction to enforce the parties' settlement.

The Court notes that defendants have separately moved to dissolve Judge Vadas's May 13, 2014 order requiring CSP-Corcoran to permit plaintiff to keep five boxes of legal materials in his cell. ECF No. 130. The motion will be referred to Judge Vadas for report and recommendation.

The Clerk shall send a copy of this order to Judge Vadas.

**IT IS SO ORDERED.**

Dated: June 2, 2014

  
JON S. TIGAR  
United States District Judge